

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

IN RE: MERCK & CO., INC. SECURITIES,
DERIVATIVE & “ERISA” LITIGATION
MDL DOCKET NUMBER 1658

**Hon. Stanley R. Chesler, U.S.D.J.
Civ. Nos. 05-1151 (SRC)**

ORDER

CHESLER, District Judge

IT APPEARING that on or about December 8, 2005, Defendant XL Insurance (Bermuda) filed a Motion to Stay the Proceedings in this matter; and it further

APPEARING that on or about December 8, 2005, Defendant Ace Bermuda Insurance filed a Motion to Dismiss Plaintiffs’ Complaint pursuant to Federal Rule of Civil Procedure 12(b)(2); and it further

APPEARING that on or about December 8, 2005 Defendant Arch Reinsurance file a Motion to Dismiss Plaintiffs’ Complaint for lack of jurisdiction; and it further

APPEARING that on or about December 8, 2005, Defendants Zurich American Insurance and Steadfast Insurance filed a Motion to Dismiss Plaintiffs’ Complaint; and it further

APPEARING that on or about December 19, 2005, Defendant Allied World Assurance Company filed a Motion to Dismiss Plaintiffs’ Complaint for lack of jurisdiction; and it further

APPEARING that on or about April 4, 2006, this Court entered a Consent Order dismissing Plaintiffs’ Complaint against the foreign arbitration insurers in this matter (docket

item # 164), including Defendants XL Insurance, Ace Bermuda, Allied World Assurance, and Arch Reinsurance; and it further

APPEARING that on or about March 9, 2006, this Court issued a Stipulation and Order dismissing Plaintiffs' Complaint against the American Arbitration Insurers (docket item # 163), including Defendants Zurich American Insurance and Steadfast Insurance;

IT IS, THEREFORE, on this 21st day of July, 2006, hereby

ORDERED that Defendant XL Insurance's Motion to Stay (docket item # 144) is dismissed as moot; and it is further

ORDERED that Defendant Ace Bermuda's Motion to Dismiss (docket item # 146) is dismissed as moot; and it is further

ORDERED that Defendant Arch Reinsurance's Motion to Dismiss (docket item # 147) is dismissed as moot; and it is further

ORDERED that Defendants Zurich American Insurance and Steadfast Insurance Co.'s Motion to Dismiss (docket item # 148) is dismissed as moot; and it is further

ORDERED that Defendant Allied World Assurance Company's Motion to Dismiss (docket item # 154) is dismissed as moot.

s/ Stanley R. Chesler
Stanley R. Chesler, U.S.D.J.